

REAMENDMENT OF  
FMC AGREEMENT NO. 203-010050

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WHEREAS, the parties wish to amend the U.S.-Flag Far East Discussion Agreement, FMC No. 203-010050, as amended previously (the "Agreement"), for the purposes of (a) updating and correcting the principal office addresses of the parties and (b) providing in Article 5 of the Agreement for certain discussion activities among the parties to this Agreement and the parties to the Japanese-Flag Far East-United States Discussion Agreement, FMC No. 203-010905, as amended, with regard to matters of mutual concern common to the scopes of the two Agreements;

NOW, THEREFORE, pursuant to Articles 6.2 and 8 of the Agreement, the parties hereby agree unanimously to amend the Agreement as reflected by Fourth Revised Page No. 3, First Revised Page No. 7 and Original Page No. 7a which are attached hereto and made a part hereof.



ARTICLE 3 - PARTIES TO AGREEMENT

The Parties to this Agreement are U.S.-flag ocean common carriers engaged in freight transportation services:

American President Lines, Ltd.  
1111 Broadway  
Oakland, CA 94607

Sea-Land Service, Inc.  
P.O. Box 2555  
Elizabeth, NJ 07207  
and  
Pacific Division  
5100 AT&T Gateway Tower  
700 Fifth Avenue  
Seattle, WA 98104-5051

ARTICLE 4 - GEOGRAPHIC SCOPE OF AGREEMENT

This Agreement covers the trades and various sub-trades (collectively, the "Trade") between ports and points in the Far East and ports in the United States (including its commonwealths, territories and possessions) and interior and coastal points in the United States via such U.S. ports. For purposes of this

entities; investigate economic and competitive conditions and cooperate in joint efforts to eliminate rebating and other adverse conditions in the Trade; and, agree upon coordination of vessel sailings, chartering, joint service, pooling and other forms of rationalization of their common carrier services, and uniform or agreed rules, practices and procedures relating thereto. Nothing in this Agreement, however, authorizes the Parties to carry out any agreement that may be reached (as compared with a common position that may be agreed and presented, as described herein) unless separately filed and effective under the Shipping Act of 1984.

5.4 The Parties to this Agreement are also authorized to meet together, discuss, consider, exchange information and reach agreements with the parties to the Japanese-Flag Far East-United States Discussion Agreement, FMC No. 203-010905, as amended, upon matters of mutual concern common to the scopes of the two Agreements. No agreement or understanding reached under this Agreement which is required to be filed under the Shipping Act of 1984 shall be implemented until such agreement is filed with the Federal Maritime Commission and becomes effective under the provisions of the said Act.

5.5 The Parties may establish such guidelines and procedures as they deem desirable for the implementation and administration of this Agreement. Any such guidelines and procedures will be consistent with the terms of this Agreement, and will neither expand nor diminish the authority herein.


ARTICLE 6 - OFFICIALS OF AGREEMENT AND DELEGATIONS OF AUTHORITY

6.1 The parties will from time to time select or designate an Agreement Chairman. The Chairman or his designee will preside at meetings of the Agreement membership and will file minutes and other documents as may be required by the Federal Maritime Commission. The dates and locations of Agreement meetings will be at the call of the Chairman.

SIGNATURE PAGE

IN WITNESS WHEREOF, the parties have caused this amendment of the Agreement to be executed on their behalf by their duly authorized representative.

U.S.-FLAG FAR EAST DISCUSSION AGREEMENT

By:   
Name: Robert A. Peavy  
Title: Counsel to the Agreement  
(Pursuant to authorization  
under Article 6.2)

Date signed: August 18, 1993